

MINUTES
ENOCH CITY PLANNING COMMISSION
May 28, 2024 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Chairman Leonard Correa
Commissioner Andy Losee
Commissioner Elliot Lake
Commissioner Delaine Finlay
Commissioner Bryce Poulson

STAFF PRESENT:

City Manager Dotson
Lindsay Hildebrand
Hayden White, Pub. Works Dir.
Council Member Katherine Ross

Public Present: Aaron Tiede, Dan Roberts, James Thelin, and Andy Funderburk

1. **CALL TO ORDER OF REGULAR MEETING-By Chairman Correa**
 - a. **Pledge of Allegiance** - Led by Hayden White
 - b. **Invocation (2 min.) –Audience invited to participate.** Given by Aaron Tiede
 - c. **Inspirational thought** - Given by Commissioner Finlay
 - d. **Approval of agenda for May 28, 2024 - Commissioner Finlay made a motion to approve the agenda. Commissioner Poulson seconded and all voted in favor.**
 - e. **Approval of minutes for May 14, 2024 - Commissioner Poulson made a motion to approve the minutes. Chairman Correa seconded and all voted in favor.**
 - f. **Conflict of Interest Declaration** - None stated

2. **PUBLIC COMMENTS**

3. **PUBLIC HEARING REGARDING A ZONE CHANGE REQUEST BY GRIMSHAW FAMILY TRUST PARCEL #A-0786-0007-0000 FROM RURAL RESIDENTIAL (R-R-1) AND SINGLE FAMILY RESIDENTIAL (R-1-18) TO COMMUNITY COMMERCIAL (C-C)**

Commissioner made a motion to close the regularly scheduled Planning Commission meeting and open a public hearing for the zone change request by Grimshaw Family Trust. Commissioner Poulson seconded and all voted in favor.

Aaron Tiede said he wasn't opposed to commercial, but wanted to make sure the road 450 East is not used for the development of or access to this property. It doesn't not meet the city's requirements. Regarding to the zone change in general, the decision was made that until access from the Highway was secured from UDOT it would not be approved. Commissioner Poulson said that at City Council, it was noted that this parcel was actually two different zones.

Dan Roberts said he represented the Grimshaw Trust. The owners feel that the developer will have access from Minersville Highway. There has been some confusion on whether the Master Plan included these seven acres. The main reason for that road, in 50 feet was to supply utilities and be able to access their farm. The developer will look at it for what his needs are. Access will come before the Council and Planning Commission at development. Right now, they want the property for commercial. If it was rezoned to a higher density then there would be a lot of traffic on that road. There is commercial on the south side of the road about and commercial zones on the north side.

Andy Funderburk said Mr. Roberts just mentioned that if it was zoned commercial that it goes back to the Planning Commission. His concern is that as it goes to plan review then the intent might be there, to not use that road, but the city inspector or city manager would have to make sure that road isn't being used.

Commissioner Finlay made a motion to close the public hearing and return to the regularly scheduled Planning Commission meeting. Commissioner Lake seconded and all voted in favor.

**4. CONSIDER A ZONE CHANGE REQUEST BY GRIMSHAW FAMILY TRUST
PARCEL #A-0786-0007-0000 FROM RURAL RESIDENTIAL (R-R-1) AND
SINGLE FAMILY RESIDENTIAL (R-1-18) TO COMMUNITY COMMERCIAL
(C-C) AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**

Chairman Correa expressed concern that if the road did not meet required standards, it would result in an empty commercial lot. City Manager Dotson explained that requirements varied by city, citing Enoch as an example. Neighboring property owners having a connector to a public right of way must improve that connector to a drivable status without having to adhere to full development standards. He clarified that the road in question was not dedicated but served as an access easement owned by the developer to the north, who was responsible for its maintenance. Commissioner Finlay noted that the road, at 50 feet wide, could potentially be used for commercial purposes but resembled a flag lot. City Manager Dotson confirmed that the community commercial request had direct access potential on arterial SR-130, with UDOT likely permitting access a quarter mile from an intersection. However, he cautioned that changing the zone did not guarantee access from SR-130, merely reclassifying the owners. Commissioner Finlay inquired whether the easement, if rezoned to Community Commercial, could be altered, to which City Manager Dotson responded that only the property owners could remove it. Mr. Tiede recalled a previous discussion on the original zoning and its flexibility. He mentioned a portion of the General Plan and City Manager Dotson emphasized that the General Plan was adaptable, not fixed. The potential for the road to be changed or dead-ended was discussed, with City Manager Dotson suggesting it could be deeded to the city or adjacent property owners. Fire Code considerations were raised, and City Manager Dotson confirmed that the single access was sufficient for the property's size. Commissioner Finlay questioned if ordinance changes were necessary. Mr. Tiede highlighted the long-term impact of converting a residential road to commercial, to which City Manager Dotson replied that such changes did not set a precedent for all future requests. The Planning Commission acknowledged its legislative discretion in these matters. James Thelin pointed out that the property's location on SR-130 placed it within commercial boundaries, making road improvement the owner's responsibility. Chairman Correa reconsidered his stance, treating it as a flag lot. Commissioner Lake raised concerns about future development compliance with city standards. Commissioner Finlay questioned past changes, with Commissioner Losee affirming the land's potential to remain undeveloped for years. Commissioner Poulson then summarized the City Council's discussion at the last meeting.

Commissioner Lake made a motion to send a favorable recommendation to the City Council regarding the zone change request by Grimshaw Family Trust

parcel #A-0786-0007-0000 from Rural Residential (R-R-1) and Single Family Residential (R-1-18) to Community Commercial (C-C). Chairman Correa seconded and a roll call vote was held as follows:

Chairman Correa: Yea	Commissioner Losee: Yea
Commissioner Lake: Yea	Commissioner Finlay: Nay
Commissioner Poulson: Nay	The Motion Passed

**5. PUBLIC HEARING REAGRDRING AMENDMENTS TO ENOCH CITY CODE
12.500 OFF STREET PARKING 0:58**

Commissioner Poulson made a motion to close the regularly scheduled Planning Commission meeting and open a public hearing for the amendments to Enoch City Code 12.500 Off Street Parking. Commission Lake seconded and all voted in favor.

There were no public comments.

Commission Poulson made a motion to close the public hearing and reconvene the regularly schedule Planning Commission meeting. Chairman Correa seconded and all voted in favor.

**6. CONSIDER AMENDMENTS TO ENOCH CITY CODE 12.500 OFF STREET
PARKING AND MAKE A RECOMMENDATION TO THE CITY COUNCIL**

City Manager Dotson noted that some developments are coming that are putting off street parking on a 47-foot residential street that would have access from that street right onto their parking spaces. It's an unusual situation but out our code does not allow it. He gave examples of on street parking. This allows people to park off street, but in a parking lot, in which people can access the individual parking space from the street itself. That's why we removed "except for single- and two-family dwellings". He read the proposed code. He mentioned the other additional changes in the number of parking spaces. Chairman Correa asked about Section E. Does that include a garage space? City Manager Dotson said yes. It is two parking spaces for each dwelling unit. This is off-street parking. There was a conversation about storage and manufacturing warehousing and the need for more parking spaces. City Manager Dotson took this portion from Cedar City. You have to have enough parking spaces at one for each employee at the highest working shift. This sets the standard. Lastly, City Manager Dotson added landscaping verbiage for parking lots. The cluster subdivision north of Village Green was asking about this ordinance. Commissioner Poulson wondered about snow removal in these off-street parking. Commissioner Finlay and Chairman Correa were worried about the parking space numbers regarding manufacturing. There was a conversation. City Manager Dotson said they can't be subjective about this. They have to have a reason why. City Manager Dotson noted that upcoming developments included off-street parking on a 47-foot residential street, allowing direct access to parking spaces from the street. He explained that while this situation was unusual, the current code did not permit it. City Manager Dotson provided examples of on-street parking and explained that the intent was to allow off-street parking in a lot where individual spaces could be accessed directly from the street. This led to the removal of the phrase "except for single- and two-family dwellings" from the code. He read the proposed code and discussed additional changes in the number of required parking spaces. Chairman Correa inquired about Section E, asking if it included garage spaces. City Manager Dotson confirmed it did, specifying two off-street parking spaces per dwelling unit. The discussion then shifted to storage and manufacturing warehousing, highlighting the need for more parking spaces. City Manager Dotson referenced Cedar

City's standards, which required one parking space per employee during the highest working shift. This standard was adopted to ensure adequate parking. City Manager Dotson also added landscaping requirements for parking lots. The cluster subdivision north of Village Green had inquired about the ordinance. Commissioner Poulson raised concerns about snow removal in off-street parking areas. Commissioners Finlay and Chairman Correa expressed worries about the number of parking spaces for manufacturing. City Manager Dotson emphasized the need for objective criteria and a valid reason for the parking space requirements. City Manager Dotson suggesting moving forward excluding Section M.

Commission Lake made a motion to send a favorable recommendation to the City Council amending Enoch City Code 12.500 Off Street Parking with the exclusion of Section 12.500.504 M. Chairman Correa seconded and all voted in favor.

7. PUBLIC HEARING REGARDING AMENDMENTS TO ENOCH CITY CODE CHAPTER 12-1200. PLANNED UNIT DEVELOPMENT (PUD) – 1:39

Commissioner Finlay made a motion to close the regularly scheduled Planning Commission meeting and open a public hearing regarding amendments to Enoch City Code Chapter 12-1200. Planned Unit Development (PUD). Commissioner Lake seconded and all voted in favor.

There were no public comments.

Commissioner Finlay made a motion to close the public hearing and reconvene the regularly scheduled Planning Commission meeting. Commissioner Lake seconded and all voted in favor.

8. CONSIDER AMENDMENTS TO ENOCH CITY CODE CHAPTER 12-1200. PLANNED UNIT DEVELOPMENT (PUD) AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

Chairman Correa asked, regarding density, are the public safety impact fees adequate for future services? City Manager Dotson said the impact fee was recently adjusted according to the analysis that was completed this last year. Yes, it is adequate. We had a presentation by a developer on the Master Community Plan for Nelson Community Farm. This is a PUD and located north of gateway. To do what they want to do they asked that we change a few things in our PUD ordinance. He explained the proposed changes in their packet. There is a minimum lot size of 4,000 sq. feet. Their plan is 580 units instead of 614. The idea is to keep the density the same as the underlying zones. You plan for the same amount of sewer and water. They can cluster smaller property together and leave bigger lots for churches or something. They have some lot sizes that are 1,000 sq. feet with an 800 sq. foot house on it. Commissioner Finlay asked if that was why they changed the setbacks to 10 feet instead of 20 feet. City Manager Dotson said yes. Commissioner Lake asked what if they decide to change their plan. If there are no specifics on square footage, what stops them from adding more? City Manager Dotson said they can only have 614 units. The signed development agreement also says this. The size of the lot is defined by setbacks and not the size of the lots. City Manager Dotson detailed the rest of the proposed changes.

Commissioner Finlay made a motion to table this item, amendments to Enoch City Code Chapter 12.1200. Commissioner Poulson seconded and all voted in favor.

9. PUBLIC HEARING REGARDING AMENDMENTS TO ENOCH CITY CODE 12.2400.2407 APPLICATION PROCESS AND REQUIREMENTS FOR SUBDIVISIONS

Commissioner Lake made a motion to close the regularly scheduled Planning Commission meeting and open a public hearing regarding amendments to Enoch City Code Chapter 12.2400.2407 Application Process and requirements for Subdivisions. Commissioner Finlay seconded and all voted in favor.

There were no public comments.

Commissioner Poulson made a motion to close the public hearing and reconvene the regularly scheduled Planning Commission meeting. Chairman Correa seconded and all voted in favor.

10. CONSIDER AMENDMENTS TO ENOCH CITY CODE 12.2400.2407 APPLICATION PROCESS AND REQUIREMENTS FOR SUBDIVISIONS AND MAKE A RECOMMENDATION TO THE CITY COUNCIL 1:48

City Manager Dotson said this was in the changes from legislation. It changes the max review phases that the engineer can have.

Commissioner Finlay made a motion to send a favorable recommendation to the City Council to amend Enoch City Code 12.2400.2407 Application Process and Requirements for Subdivisions. Commissioner Poulson seconded and all voted in favor.

11. PUBLIC HEARING REGARDING AMENDMENTS TO ENOCH CITY CODE 12.2400.2413 WATER RIGHTS AND CODE 14.100.113 APPLICATION FOR WATER CONNECTION – 1:50

Commissioner Lake made a motion to close the regularly scheduled Planning Commission meeting and open a public hearing regarding amendments to Enoch City Code 12.24.2413 Water Rights and Code 14.100.113 Application for Water Connection. Commissioner Poulson seconded and all voted in favor.

There were no public comments.

Commissioner Poulson made a motion to close the public hearing and reconvene the regularly scheduled Planning Commission meeting. Chairman Correa seconded and all voted in favor.

12. CONSIDER AMENDMENTS TO ENOCH CITY CODE 12.2400.2413 WATER RIGHTS AND CODE 14.100.113 APPLICATION FOR WATER CONNECTION AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

City Manager Dotson said the new State code is requiring us to determine how much water is being used per residential unit. That's the amount we can require as an exaction as donated to the city. He did an analysis to find out how much the average residential user uses in the city. It comes out to about 0.5-acre foot. We currently require one acre foot. When we get an acre foot, its typically agricultural water. Agricultural water says that for every acre foot of water that you put on the ground, 60% is going back in the ground. Now, when we convert that water to municipal water, we lose that 40%. When we convert that acre foot, we can actually only pull 60% of that out of the ground. Although it says it's a full acre foot, when its turned to municipal, its only 0.6 acre feet. So, in his analysis of what 60% of what the average user uses (0.5

